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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,263	10/30/2000	Byung-Jin Kim	2950-0175P	6653

2292 7590 09/22/2004

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EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/698,263

Applicant(s)

KIM ET AL.

Examiner

Bob Chevalier

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 and 9 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 11-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, and 10-14, are rejected under 35 U.S.C. 102(e) as being anticipated by Sawabe et al.

Sawabe et al discloses a video/audio recording/reproducing apparatus that shows all the limitations recited in claims 1, 5, including the feature of writing still information indicating that a video data stream section is to be presented in a still picture (See Sawabe et al's page 8, paragraph [0110]), the feature of writing information in a cell on whether there is a still picture in a stream object containing the video data stream section, the cell being linked with the stream object as specified in the present claims 1, 5. (See Sawabe et al's page 8, paragraphe [0097]).

With regard to claims 2, 6, the feature of writing information indicating the location of the video data stream section in the cell as specified thereof would be present in the cited reference of Sawabe et al. (See the navigation pack 41 shown in Sawabe et al's Figure 1).

With regard to claims 3, 7, the feature of writing the still information in a header of a sector in which the video data stream section is written as specified thereof would be

present in the cited reference of Sawabe et al. (See the navigation pack 41 shown in Sawabe et al's Figure 1).

With regard to claim 4, the feature of the video data being consisting of intra-coded and predictive picture data as specified thereof is present in the cited reference of Sawabe et al. (See Sawabe et al's Figure 2).

With regard to claims 10-11, the feature of conducting an iteration of transmitting a predictive picture data of the reproduced video data repeatedly after transmitting the reproduced video data based on the determination that the reproduced video data corresponds to a still picture as specified thereof is present in the cited reference of Sawabe et al. (See Sawabe et al's page 8, paragraphs [0110-0111]).

With regard to claim 12, the feature of transmitting header information only without sending the predictive data when transmitting the predictive picture data repeatedly as specified thereof is present in the cited reference of Sawabe et al. (See Sawabe et al's page 8, paragraphs [0099 and 0101]).

With regard to claim 13, the feature of conducting the transmitting iteration during still time specified in still information written in the disk as specified thereof is present in the cited reference of Sawabe et al. (See Sawabe et al's page 8, paragraphs [0106-0107]).

With regard to claim 14, the feature of conducting the transmitting iteration until a user requests release of still mode as specified thereof is present in the cited reference of Sawabe et al. (See Sawabe et al's page 8, paragraphe [0102]).

3. Claims 8-9 contain allowable subject matter over the prior art of record.

4. The following is a statement of reasons for the indication of allowable subject matter:

The claimed invention is directed to a method for writing information for supporting still picture of data stream recorded in a disk. The independent claims identify the feature of "writing a transport packet indicating that a data section among the recorded data is a still picture at a neighboring side of the data section, wherein the contents of the transport packet is not decoded when reproducing the recorded video data". The closest prior art, Sawabe et al discloses a conventional video/audio recording/reproducing apparatus, either singularly or in combination fails to anticipate or render the above underlined limitations obvious.

#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sugimoto et al discloses an optical disk recording/reproducing apparatus.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 703-305-4725. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B. Chevalier  
September 16, 2004.

*Robert Chevalier*  
ROBERT CHEVALIER  
PRIMARY EXAMINER